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March 11, 2021

CHARLES G. KRATTENMAKER, JR.  
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OF COUNSEL: RAYMOND SAYEG

**VIA CM/ECF SYSTEM**

Honorable M. Page Kelley  
Chief U.S. Magistrate Judge  
Moakley U.S. Courthouse  
1 Courthouse Lane  
Boston, MA 02210

Re: United States v. Faith Newton  
Docket No. 21CR10035

Dear Judge Kelley:

Attorney Brad Bailey and I as counsel for Faith Newton have been copied on various electronic mail messages ("email") forwarded by the government to your Courtroom Clerk Kellyann Belmont today, undoubtedly for the purpose of the information being forwarded to Your Honor. While your ruling on detention issued as I was drafting this correspondence, we would nonetheless like this included in the record below. Counsel for the defense have several objections both substantive and procedural with the government's email submissions.

First, the defense objects to the substance of the information provided to the Court. The government's submission suggest that our client is still receiving and currently has access to payments from MassHealth, and that should affect Your Honor's analysis regarding detention. In that regard, the government has provided a chart of payments made by MassHealth to Golden Living for the period September 2020 through February 2021.

At best, the government has neglected to provide the Court with an accurate snapshot. Golden Living Homecare is a Massachusetts corporation in good standing with 117 active employees. The payments made by MassHealth are directly deposited into the payroll account of Golden Living, and not our client's personal account. Second, the funds being paid by MassHealth are *still* being paid into Golden Living's former checking account, Citizen's Bank account no. 1338848698. That payroll account has been frozen and unavailable for any use or disbursements since January 28, 2021 when the government filed the civil lawsuit. Therefore, since the filing date, neither Golden Living nor anyone else has had any access to the MassHealth payments for any legitimate purpose, including payment of the company payroll.

Further, the government's email submissions suggest that any funds paid by MassHealth are automatically available to Ms. Newton for her personal use. The government fails to inform the Court that the monthly payroll budget for Golden Living's 117 employees – many of whom have been with the company since its beginning - is in excess on \$225,000.00 per month. In

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addition, there are other legitimate company expenses incurred of approximately \$38,000.00 per month, including rent, employer portion of income taxes, professional liability and health insurance premiums, payments to outside company vendors/software providers, and other expenses. This information is critical to place the amount of the MassHealth payments into perspective. The reference to the lack of payments by the defense at oral argument was based upon the reality that the company is not receiving the MassHealth payments but is attempting to maintain payroll, and pay its customary monthly business expenses.

Lastly, the defense takes issue with the government providing piecemeal substantive misinformation to the Court without observing filing protocols, and requests that the government comply with filing requirements.

We thank you for your attention to this matter.

Very truly yours,

/s/ Raymond Sayeg

RS/ccl

Cc: Rachel Hemani, David Lazarus, United States Attorneys' Office,  
District of Massachusetts  
R. Bradford Bailey, Esq.